

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**TONY FRANKLIN,**

**Petitioner,**

**v.**

**IMMIGRATION AND  
CUSTOMS ENFORCEMENT,**

**Respondent.**

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**Civil Action No.  
14-10912-FDS**

**MEMORANDUM AND ORDER**

**SAYLOR, J.**

On March 17, 2014, Tony Franklin, while confined to the Plymouth County Correctional Facility (“PCCF”), filed a request for release from immigration detention pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001). The action was assigned to Magistrate Judge Boal pursuant to the District Court’s Consent Program. In his *pro se* request, Franklin alleged that his removal order had become final more than six months ago and that it was unlikely that he would be removed in the reasonably foreseeable future.

After filing a fee-waiver application from PCCF on March 21, 2014, and a § 2241 habeas petition on March 26, 2014, the Court discovered that Franklin had been removed from the United States on March 26, 2014.

By Order of Reassignment dated April 2, 2014, this action was reassigned to the undersigned District Judge. Because Franklin has been removed, the petition is now moot. For the foregoing reasons, the petition is denied as moot. The clerk is directed to terminate this action and all pending motions.

**So Ordered.**

/s/ F. Dennis Saylor  
F. Dennis Saylor IV  
United States District Judge

Dated: April 3, 2014